

EXHIBIT A



**Service of Process
Transmittal**

01/10/2013

CT Log Number 521923853

TO: Dianne McFarlane, Paralegal
Parker-Hannifin Corporation
6035 Parkland Blvd.
Cleveland, OH 44124-4141

RE: Process Served in Texas

FOR: Parker-Hannifin Corporation (Domestic State: OH)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Bobby Gilbert, Pltf. vs. The Home Depot and Parker Hannifin Corporation, Dfts.
Name discrepancy noted.

DOCUMENT(S) SERVED: Citation, Original Petition, Certification

COURT/AGENCY: 55th Judicial District Court Harris County, TX
Case # 201300523

NATURE OF ACTION: Product Liability Litigation - Manufacturing Defect - Personal Injury - January 6,
2011 - Defective acetylene/oxygen welding hose

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Process Server on 01/10/2013 at 15:15

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: By 10:00 a.m. on the Monday next following the expiration of 20 days

ATTORNEY(S) / SENDER(S): Eric C. Hixon
The Hixon Law Firm
5555 West Loop South, Suite 605
Bellaire, TX 77401
713-661-2541

ACTION ITEMS: CT has retained the current log, Retain Date: 01/10/2013, Expected Purge Date:
01/15/2013
Image SOP
Email Notification, Dianne McFarlane dmcfarlane@parker.com
Email Notification, Julie Picciano julie.picciano@parker.com

SIGNED: C T Corporation System
PER: Amber Carrouth
ADDRESS: 350 North St Paul Street
Suite 2900
Dallas, TX 75201
TELEPHONE: 214-932-3601

RECEIPT NUMBER 452403 0.00
 TRACKING NUMBER 72860764 CIV

CAUSE NUMBER 201300523

PLAINTIFF: GILBERT, BOBBY
 vs.
 DEFENDANT: HOME DEPOT (THE)

In The 55th
 Judicial District Court of
 Harris County, Texas

CITATION CORPORATE

THE STATE OF TEXAS
 County of Harris

TO: PARKER HANNIFIN CORPORATION (CORPORATION) BY SERVING THE REGISTERED
 AGENT OF THE CORPORATION C T CORPORATION SYSTEM ITS REGISTERED OFFICE
 350 NORTH SAINT PAUL STREET SUITE 2900 DALLAS TX 75201

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION

This instrument was filed on the 4th day of January, 20 13, in the
 above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED; you may employ an attorney. If you or your attorney do not file a written answer with the
 District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were
 served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This Citation was issued under my hand and seal of said Court, at Houston, Texas, this 7th day of
January, 20 13.

Issued at request of:
 HIXON, ERIC CHARLES
 5555 WEST LOOP SOUTH, SUITE 605
 HOUSTON, TX 77401
 Tel: (713) 661-2541
 Bar Number: 9730500



Chris Daniel
 CHRIS DANIEL, District Clerk
 Harris County, Texas
 201 Caroline, Houston, Texas 77002
 P.O. Box 4651, Houston, Texas 77210

Generated by: CUERO, NELSON 7MM/7MM/9468087

OFFICER/AUTHORIZED PERSON RETURN

I received this citation on the _____ day of _____, 20____, at _____ o'clock ____ M., endorsed
 the date of delivery thereon, and executed it at _____

(street address)

(city)

in _____ County, Texas on the _____ day of _____, 20____, at _____ o'clock ____ M.,
 by delivering to _____

(the defendant corporation named in citation)

_____, in person, whose name is _____
 (registered agent, president, or vice-president)

a true copy of this citation, with a copy of the _____ Petition attached,
 (description of petition, e.g., "Plaintiff's Original")

and with accompanying copies of _____
 (additional documents, if any, delivered with the petition)

I certify that the facts stated in this return are true by my signature below on the _____ day of _____, 20____.

FEE: \$ _____

By: _____

(signature of officer)

Printed Name: _____

As Deputy for: _____

(printed name & title of sheriff or constable)

Affiant Other Than Officer

On this day, _____, known to me to be the person whose signature
 appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was
 executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____, 20____.

NINT.CIT.C.F.

Notary Public

Filed 19 January 4 PM:10
Chris Daniel - District Clerk
Harris County
ED101J017254518
By: Nelson Cuero

2013-00523 / Court: 055
NO.

BOBBY GILBERT
Plaintiff,

V.

**THE HOME DEPOT AND PARKER
HANNIFIN CORPORATION**
Defendants.

§ IN THE DISTRICT COURT
§
§
§ JUDICIAL DISTRICT
§
§
§ OF HARRIS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Bobby Gilbert, hereinafter called Plaintiff, complaining of and about The Home Depot and Parker Hannifin Corporation, hereinafter called Defendants, and for cause of action shows unto the Court the following:

DISCOVERY CONTROL PLAN LEVEL

1. Plaintiff intends that discovery be conducted under Discovery Level 3.

PARTIES AND SERVICE

2. Plaintiff, Bobby Gilbert, is an Individual whose address is 9321 Clinton Drive, Houston, Texas 77029.
3. The last three numbers of Bobby Gilbert's social security number are 965.
4. Defendant The Home Depot, a Corporation based in Texas, is organized under the laws of the State of Texas, and service of process on the Defendant may be effected pursuant to sections 5.201 and 5.255 of the Texas Business Organizations Code, by serving the registered agent of the corporation, Corporation Service Company, at 211 East 7th Street, Suite 620 Austin, TX 77801, its registered office. Service of said Defendant as described above can be effected by personal delivery.

5. Defendant Parker Hannifin Corporation, a Corporation based in Texas, is organized under the laws of the State of Texas, and service of process on the Defendant may be effected pursuant to sections 5.201 and 5.255 of the Texas Business Organizations Code, by serving the registered agent of the corporation, CT Corporation System, at 350 North Saint Paul Street, Suite 2900 Dallas, TX 75201, its registered office. Service of said Defendant as described above can be effected by personal delivery.

JURISDICTION AND VENUE

6. The subject matter in controversy is within the jurisdictional limits of this court.
7. This court has jurisdiction over the parties because Defendants are Texas residents.
8. Venue in Harris County is proper in this cause under Section 15.002(a)(1) of the Texas Civil Practice and Remedies Code because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in this county.

FACTS

9. On January 6, 2011, Plaintiff purchased an acetylene/oxygen welding hose, manufactured by Parker Hannifin Corporation, from The Home Depot. Plaintiff took the welding hose to his place of business to use on his acetylene/oxygen welding tank. As Plaintiff connected the welding hose to the welding tank, the hose exploded near Plaintiff's face, causing an injury to his eye and an immediate loss of hearing.

10. There were no warnings sufficient to apprise Plaintiff that the welding hose, purchased from Defendant, would cause the kind of injury and damage suffered by Plaintiff.

11. Plaintiff was initially seen and treated at the DCH Northport Medical Center Emergency Department ("DCH") for his injuries. Subsequent to his treatment at DCH, Plaintiff has received medical treatment and have incurred medical expenses from several additional medical

facilities, including the Bayshore Medical Center, The Radiology Clinic, Eye Excellence, and Andres H. Keichian, MD PA.

BOBBY GILBERT'S CLAIM FOR IMPLIED WARRANTY OF MERCHANTABILITY

12. The Defendants sold the welding hose to Plaintiff;
13. The welding hose was unmerchantable as demonstrated by its explosion upon proper use by Plaintiff;
14. Plaintiff notified Defendants of the breach; and
15. Plaintiff suffered injury.

BOBBY GILBERT'S CLAIM FOR IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE

16. Defendants sold the welding hose to Plaintiff;
17. Defendants had knowledge Plaintiff was
 - A. buying the welding hose for the particular purpose of using it while connected to a welding tank, and
 - B. relying on the Defendants' skill or judgment to select goods fit for that purpose
18. Defendant delivered goods that were unfit for the Plaintiff's particular purpose;
19. Plaintiff notified Defendant of the breach; and
20. Plaintiff suffered injury.

BOBBY GILBERT'S CLAIM FOR STRICT LIABILITY

21. The welding hose purchased from the Defendant was defective as demonstrated by its explosion upon proper use by Plaintiff;
22. The welding hose reached the Plaintiff without substantial changes in its condition from the time it was originally sold by Defendant;

- 23. The defect rendered the welding hose unreasonably dangerous; and
- 24. The unreasonably dangerous defect caused an injury to the Plaintiff.

DAMAGES FOR PLAINTIFF, BOBBY GILBERT

25. As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff, Bobby Gilbert, was caused to suffer a decrease in vision and decrease in hearing as a direct consequence of the defective product manufactured or sold by defendants, and to incur the following damages:

- A. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff, Bobby Gilbert for the necessary care and treatment of the injuries resulting from the accident complained of herein and such charges are reasonable and were usual and customary charges for such services in Harris County, Texas;
- B. Reasonable and necessary medical care and expenses which will in all reasonable probability be incurred in the future;
- C. Physical pain and suffering in the past;
- D. Loss of Hearing;
- E. Loss of Eyesight; and
- F. Mental anguish in the past.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Bobby Gilbert, respectfully prays that the Defendants be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendants, jointly and severally, for damages in an amount within the jurisdictional limits of the Court; together with pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law; post-judgment interest at the legal rate, costs of court; and such other and further relief to which the Plaintiff may be

entitled at law or in equity.

Respectfully submitted,

The Hixon Law Firm

By: Eric C. Hixon

Eric C. Hixon

Texas Bar No. 09730500

5555 West Loop South, Suite 605

Bellaire, TX 77401

Tel. (713) 661-2541

Fax. (713) 661-2583

Attorney for Plaintiff

Bobby Gilbert



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office
this January 4, 2013

Certified Document Number: 54346253 Total Pages: 5

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

HCDistrictclerk.com

GILBERT, BOBBY vs. HOME DEPOT (THE)

1/29/2013

Cause: 201300523

CDI: 7

Court: 055

APPEALS

No Appeals found.

COST STATMENTS

No Cost Statments found.

TRANSFERS

No Transfers found.

POST TRIAL WRITS

No Post Trial Writs found.

ABSTRACTS

No Abstracts found.

SETTINGS

No Settings found.

NOTICES

No Notices found.

SUMMARY

CASE DETAILS

File Date	1/4/2013
Case (Cause) Location	Civil Intake 1st Floor
Case (Cause) Status	Active - Civil
Case (Cause) Type	PERSONAL INJ (NON-AUTO)
Next/Last Setting Date	N/A
Jury Fee Paid Date	N/A

COURT DETAILS

Court	055 th
Address	201 CAROLINE (Floor: 9) HOUSTON, TX 77002 Phone:7133686055
JudgeName	Jeff Shadwick
Court Type	Civil

ACTIVE PARTIES

Name	Type	Post Jdgm	Attorney
GILBERT, BOBBY	PLAINTIFF - CIVIL		HIxon, ERIC CHARLES
HOME DEPOT (THE)	DEFENDANT - CIVIL		
PARKER HANNIFIN CORPORATION	DEFENDANT - CIVIL		
HOME DEPOT (THE) (CORPORATION) BY SERVING THE REGISTERED AGENT OF THE	REGISTERED AGENT		
PARKER HANNIFIN CORPORATION (CORPORATION) BY SERVING THE REGISTERED	REGISTERED AGENT		

INACTIVE PARTIES

No inactive parties found.

JUDGMENT/EVENTS

Date	Description	Order Signed	Post Jdgm	Pgs Volume /Page	Filing Attorney	Person Filing
1/4/2013	ORIGINAL PETITION			0	HIXON, ERIC CHARLES	GILBERT, BOBBY

SERVICES

Type	Status	Instrument	Person	Requested	Issued	Served	Returned	Received	Tracking	Deliver To
CITATION CORPORATE	ORIGINAL PETITION	HOME DEPOT (THE) (CORPORATION) BY SERVING THE REGISTERED AGENT OF THE	1/4/2013	1/7/2013				72860763		CIV AGCY- CIVILIAN SERVICE AGENCY
		211 EAST 7TH STREET SUITE 620 AUSTIN TX 78701								
		211 EAST 7TH STREET SUITE 620 AUSTIN TX 78701								
CITATION CORPORATE	ORIGINAL PETITION	PARKER HANNIFIN CORPORATION (CORPORATION) BY SERVING THE REGISTERED	1/4/2013	1/7/2013				72860764		CIV AGCY- CIVILIAN SERVICE AGENCY
		350 NORTH SAINT PAUL STREET SUITE 2900 DALLAS TX 75201								
		350 NORTH SAINT PAUL STREET SUITE 2900 DALLAS TX 75201								

DOCUMENTS

Number	Document	Post Jdgm	Date	Pgs
54365994	Civil Bureau Process Pick-Up Form		01/07/2013	1
54346253	Plaintiffs Original Petition		01/04/2013	5
-> 54346255	Civil Case Information Sheet		01/04/2013	1
-> 54346254	Civil Process Request		01/04/2013	2